

LABEL IN PART: (Jar) "Aguila 12 fl. oz. [with a handwritten "8" over the "12"] * * * Ranch Sauce * * * Packed for V. F. Garza, * * * East Chicago, Ind."; "Aguila 12 fl. oz. Chile and Tomato Sauce (or "Serrano Pepper in Vinegar") * * * Packed for V. F. Garza * * * East Chicago, Ind."

LIBELED: 12-24-63, N. Dist. Ind.

CHARGE: 403(a)—when shipped, the label statement of the ranch sauce "12 fl. oz. [with a handwritten "8" over the "12"]" was false and misleading, since the statement was ambiguous and the article contained less than 12 fluid oz., and 403(i) (2)—the label of the ranch sauce failed to bear the common or usual name of each ingredient since it failed to reveal that the ingredient "carrots" was present and since "oil" is not the common or usual name of an ingredient; and 403(e) (2)—the jars of chile and tomato sauce and pickled serrano pepper failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 1-17-64. Consent—claimed by J. Jesus Gonzalez & Son, and relabeled.

29588. Lemon flavor. (F.D.C. No. 49553. S. No. 59-221 X.)

QUANTITY: 39 cases, each containing 24 btls., at National City, Calif.

SHIPPED: 6-18-63, from New York, N.Y., by Robbin Sales Co.

LABEL IN PART: (Btl.) "Derry's Lemon Flavor Contains: 80% Cotton Seed Oil 20% Oil of Lemon * * * Conforms to Federal Specifications * * * Derry Products, Inc. Brooklyn, N.Y."

RESULTS OF INVESTIGATION: Examination showed the article contained less than the declared amount of lemon oil, in an oil other than cottonseed oil.

LIBELED: 12-4-63, S. Dist. Calif.

CHARGE: 402(b) (1)—when shipped, a valuable constituent, namely, lemon oil, had been in whole or in part omitted or abstracted from the article; and 402(b) (2)—a substance other than lemon oil or cottonseed oil had been substituted in whole or in part for the article; and 403(a)—the labeling of the article contained the false and misleading statement, "Contains: 80% Cotton Seed Oil 20% Oil of Lemon," and the false and misleading representation that the article conformed to Federal specifications.

DISPOSITION: 12-30-63. Default—destruction.

29589. Vanilla concentrate. (F.D.C. No. 49911. S. No. 77-993 X.)

QUANTITY: 4 1-gal. btls., at Brooklyn, N.Y.

SHIPPED: 12-11-63, from Union City, N.J., by Reynaud, Ltd.

LABEL IN PART: (Btl.) "Reynaud, Ltd. Pure Vanilla 10-Fold Concentrate Contains: Extractive Matter of Vanilla Beans * * * For Manufacturing Use Only * * * Union City, New Jersey."

RESULTS OF INVESTIGATION: Examination showed the article to be a dark brown liquid with a vanilla-like odor containing added vanillin and little, if any, true vanilla extractives.

LIBELED: 3-17-64, E. Dist. N.Y.

CHARGE: 402(b) (1)—when shipped, the valuable constituent, vanilla extractives, had been in whole or in part omitted or abstracted from the article; 402(b) (2)—vanillin and flavorings other than true vanilla extractives, had been in whole or in part substituted for the article; 402(b) (4)—vanillin and

flavorings other than true vanilla extractives had been added to the article or mixed or packed therewith, so as to make it appear better or of greater value than it was; 403(a)—the label statement "Pure Vanilla 10-Fold Concentrate" was false and misleading since it was contrary to fact; 403(i) (2)—the article's label failed to bear the common or usual name of each ingredient; and 403(k)—the article contained an artificial flavoring and failed to bear a label stating that fact.

DISPOSITION: 5-15-64. Default—destruction.

29590. Assorted herbs. (F.D.C. No. 49781. S. Nos. 32-666 X, 32-671 X, 32-673 X, 32-677 X.)

QUANTITY: 1 54-lb. bag of goldenrod leaves and tops; 2 50-lb. bags of eyebright herb; 3 cases, each containing 24 2½-oz. pkgs. of angelica seed herb tea; and 21 cases, each containing 24 2½-oz. pkgs. of comfrey leaves.

SHIPPED: Between 12-14-61 and 9-25-63, from New York, N.Y.

LABELS IN PART: (Pkg.) "Seelect Brand Angelica Seed Herb Tea * * * Packed by Seelect Dietary Products, Inc. Los Angeles, California"; and (pkg.) "Seelect Brand Imported Comfrey Leaves * * * Herb Tea * * * Packed by Seelect Dietary Products, Inc. Los Angeles, California."

RESULTS OF INVESTIGATION: The angelica seed herb tea and comfrey leaves were repacked by Seelect Dietary Products, Los Angeles, Calif., after shipment as above.

LIBELED: 2-13-64, S. Dist. Calif.

CHARGE: 402(a) (3)—while held for sale, all of the articles contained insects and insect fragments; all of the articles, except the angelica seed herb tea, contained rodent hairs; the eyebright herb and the comfrey also contained feather fragments; and the angelica seed herb tea also contained insect excreta.

DISPOSITION: 3-5-64. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

29591. Dietary supplement tablets. (F.D.C. No. 45516. S. No. 55-487 R.)

QUANTITY: 1 drum of approximately 25,000 tablets, at Seattle, Wash.

SHIPPED: 11-30-60, from Berkeley, Calif., by Stayner Corp.

LABEL IN PART: (Drum) "Special Formula Tablets S.C. S-161 Each Tablet Contains: %MDR * * * Vitamin B₁ (Thiamine Mononitrate) 2.5 Mg. 250% * * * Copper (As Sulfate) 0.38 Mg. * * * Magnesium (As Sulfate) 2.5 mg. * * * Potassium (As Sulfate) 2.5 Mg. * * * Need in Human Nutrition Not Established. A Dietary Supplement. * * * Stayner Corporation, Berkeley 10, California."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 50 percent of the declared amount of vitamin B₁.

LIBELED: 3-10-61, W. Dist. Wash.

CHARGE: 403(a)—when shipped, the label statements "Copper * * * Magnesium * * * Potassium * * * Need in Human Nutrition Not Established" were false and misleading, since they were contrary to fact; 402(b) (1)—while held for sale, the valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article; and 403(a)—while held for sale, the label statement